

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

**GD-18-016855**

JOHN W. KLUBER,

Plaintiff,

vs.

MICHELLE B. RELICH,

Defendant.

) **COMPLAINT**  
)  
) Filed on behalf of Plaintiff:  
) JOHN KLUBER  
)  
) Counsel of record for Plaintiff:  
)  
) Justin T. Romano  
) Pa. Id. No. 307879  
)  
) ATTISANO & ROMANO  
) 429 Fourth Avenue, Suite 1705  
) Pittsburgh, PA 15219  
) Phone: (412) 336-8622  
) Facsimile: (412) 336-8629  
) justin@arlawpitt.com

**JURY TRIAL DEMANDED**

DEPT. OF COURT RECORDS  
CIVIL/FAMILY DIVISION  
ALLEGHENY COUNTY PA

2018 DEC 18 PM 2:12

FILED

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18 December 2018  
14:11:38  
GD-18-016855

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA

JOHN W. KLUBER, ) CIVIL DIVISION  
)  
Plaintiff, ) No. GD-18-  
)  
vs. )  
)  
MICHELLE B. RELICH, )  
)  
Defendant. )  
)

**NOTICE**

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyers Referral Service  
The Allegheny County Bar Association  
436 Seventh Avenue  
400 Koppers Building  
Pittsburgh, Pennsylvania 15219  
Telephone: (412) 261-6161

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JOHN W. KLUBER,	) CIVIL DIVISION
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	)
vs.	)
	)
MICHELLE B. RELICH,	)
	)
Defendant.	)
	)

**COMPLAINT IN CIVIL ACTION**

AND NOW Plaintiff John W. Kluber, through his counsel, Attisano & Romano, LLC, files this Complaint:

**PARTIES**

1. Plaintiff John W. Kluber is an adult individual who resides at 4 Cliff Drive, Mineral Wells, Texas 76067.
2. Defendant Michelle B. Relich is an adult individual who resides at 507 Edgewood Avenue, Pittsburgh, Pennsylvania 15218.

**JURISDICTION AND VENUE**

3. This Court has jurisdiction over Defendant because, at all relevant times, she has resided in the Commonwealth of Pennsylvania and the actions out of which this action arises occurred in the Commonwealth of Pennsylvania.
4. Venue is proper in this Court because the events that give rise to the causes of action set forth in this Complaint occurred in Allegheny County.

**FACTUAL BACKGROUND**

5. Plaintiff and Defendant were previously involved in a romantic relationship.
6. On or about November 3, 2018, Plaintiff ended the relationship with Defendant.

7. On or about November 23, 2018, Defendant printed and mailed private text message communications and intimate photos of Plaintiff to the following recipients:

- a. Plaintiff's employer, Dana Augustine Inc.; and
- b. At least fifteen (15) of Plaintiff's clients—Kay Jewelers stores—located throughout Pennsylvania, West Virginia, and Ohio.

8. On or about November 24, 2018, and thereafter, the recipients of said mailings notified Plaintiff of their receipt.

**COUNT I – Unlawful Dissemination of Intimate Images (42 Pa.C.S. § 8316.1)**

9. Paragraphs 1 through 8 are incorporated by reference.
10. Defendant unlawfully disseminated intimate images of Plaintiff.
11. Defendant mailed the aforementioned images with the intention of embarrassing Plaintiff, damaging his reputation, and causing him emotional and economic harm.
12. Defendant's actions have already caused Plaintiff irreparable harm and will continue to do so.
13. As a direct and proximate result of Defendant's actions, Plaintiff has suffered and will suffer damages as follows:

- a. Loss of personal and professional reputation;
- b. Anxiety, stress, and humiliation; and
- c. Economic harm.

WHEREFORE, Plaintiff John W. Kluber respectfully requests that judgment be entered in his favor and against Defendant Michelle B. Relich in an amount in excess of \$35,000.00, treble damages, plus interest and costs, attorney's fees, and for such other relief as the Court deems just and proper.

**COUNT II – Intentional Interference with Business Relations**

14. Paragraphs 1 through 13 are incorporated by reference.

15. Defendant had knowledge of the business relationship between Plaintiff and his employer when she mailed the private text messages to Plaintiff's employer.

16. Defendant had knowledge of the business relationship between Plaintiff and his clients when she mailed the private text messages to Plaintiff's clients.

17. Defendant mailed the documents with the intention of harming Plaintiff's business relationships with both his employer and his clients.

18. Defendant had no privilege or justification with respect to the mailing of the private text messages to Plaintiff's employer and clients.

19. Plaintiff has sustained actual financial harm as a result of Defendant's conduct.

WHEREFORE, Plaintiff John W. Kluber respectfully requests that judgment be entered in his favor and against Defendant Michelle B. Relich in an amount in excess of \$35,000.00, treble damages, plus interest and costs, attorney's fees, and for such other relief as the Court deems just and proper.

**JURY TRIAL DEMANDED**

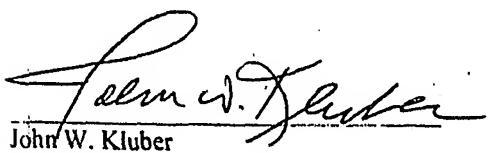
ATTISANO & ROMANO

By:

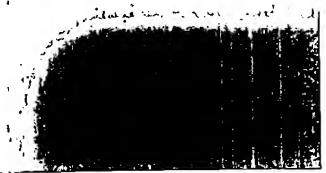
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VERIFICATION

I, John W. Kluber, have read the foregoing Complaint and verify that it is based upon information which I have furnished to counsel and information which has been gathered by counsel in the preparation of the Complaint and that it is true and correct to the best of my knowledge, information and belief. The language of the Complaint is that of counsel and not of Plaintiff. To the extent that the content of the Complaint is that of counsel, I have relied upon counsel in making this verification. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

  
John W. Kluber

12-13-18  
Date



**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Date: 12/18/18

Submitted by: Justin T. Romano

Signature: 

Name: Justin T. Romano

Attorney No: 307879

# Supreme Court of Pennsylvania

## Court of Common Pleas Civil Cover Sheet



County

For Prothonotary Use Only:

Docket No:

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

**S E C T I O N A L** Commencement of Action:

Complaint  Writ of Summons  
 Transfer from Another Jurisdiction

Petition  Declaration of Taking

Notice of Appeal

Lead Plaintiff's Name:

*John Kluber*

Lead Defendant's Name:

*Michelle Relich*

Check here if you are a Self-Represented (Pro Se) Litigant

Name of Plaintiff/Appellant's Attorney:

*Justin T. Romano*

Are money damages requested?:  Yes  No

Dollar Amount Requested:  
(Check one)  within arbitration limits  
 outside arbitration limits

Is this a *Class Action Suit*?  Yes  No

**Nature of the Case:** Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important:

**TORT (do not include Mass Tort)**

- Intentional
- Malicious Prosecution
- Motor Vehicle
- Nuisance
- Premises Liability
- Product Liability (does not include mass tort)
- Slander/Libel/ Defamation
- Other:

**CONTRACT (do not include Judgments)**

- Buyer Plaintiff
- Debt Collection: Credit Card
- Debt Collection: Other
- Employment Dispute:
- Discrimination
- Employment Dispute: Other
- Other:

**CIVIL APPEALS**

- Administrative Agencies
  - Board of Assessment
  - Board of Elections
  - Dept. of Transportation
  - Zoning Board
  - Statutory Appeal: Other

Judicial Appeals

- MDJ - Landlord/Tenant
- MDJ - Money Judgment
- Other:

**MASS TORT**

- Asbestos
- Tobacco
- Toxic Tort - DES
- Toxic Tort - Implant
- Toxic Waste
- Other:

**REAL PROPERTY**

- Ejectment
- Eminent Domain/Condemnation
- Ground Rent
- Landlord/Tenant Dispute
- Mortgage Foreclosure
- Partition
- Quiet Title
- Other:

**MISCELLANEOUS**

- Common Law/Statutory Arbitration
- Declaratory Judgment
- Mandamus
- Non-Domestic Relations
- Restraining Order
- Quo Warranto
- Replevin

Other:

*Unlawful  
Dissemination*